

REMARKS

Claims 1, 2, 5-12, and 14-16 are pending in the application. Claims 1 and 16 are currently amended. Claims 3, 4, 13, and 17 have been cancelled. Applicant respectfully requests for allowance of all the pending claims.

Claim Objections

Claim 16 is objected to because of certain informalities. In response, claim 16 has been amended by deleting the phrase “any of”. Applicant respectfully submits that the objection has been overcome.

Rejections under 35 USC 112

Claims 3 and 13 are rejected under 35 USC 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. In response, claims 3 and 13 are cancelled. Thus, Applicant respectfully requests that the rejections be withdrawn.

Rejections under 35 U.S.C. §102

Claims 1-3, and 6-15 are rejected under 35 USC 102(b) as being anticipated by US Patent No. 5,291,838 to Ferchau et al. (hereinafter referred to as “Ferchau”).

Independent claim 1 is directed to a pump enclosure comprising: a base, a cover, a plurality of pillars detachably connected at one end thereof to the base and at the other end thereof to the cover, wherein at least one of the plurality of pillars comprises interconnected extrusions defining therebetween a housing; and a pump control circuitry disposed in the housing for controlling a pump, wherein at least one of the extrusions is profiled on an outer surface thereof to receive at least one pipe through which coolant

fluid passes in use, the pipe extending outside the housing defined by interconnected extrusions and substantially in parallel with the pillar.

The amendment of the claim limitation *“wherein at least one of the extrusions is profiled on an outer surface thereof to receive at least one pipe through which coolant fluid passes in use, the pipe extending outside the housing defined by interconnected extrusions and substantially in parallel with the pillar”* is supported by the specification. For example, FIG. 6 of the application clearly shows that a pipe 126 extends on the outside of the pillar constructed by two interconnected extrusions

Ferchau does not teach or suggest *“at least one of the extrusions is profiled on an outer surface thereof to receive at least one pipe through which coolant fluid passes in use, the pipe extending outside the housing defined by interconnected extrusions and substantially in parallel with the pillar.”* Applicant acknowledges that Ferchau teaches a support sleeve 26 having a cableway on the inside, and a fluid line disposed along the cableway inside the support sleeve 26. *See, col. 3, lines 23-31.* However, Applicant respectfully submits that Ferchau does not teach or suggest that the fluid line is disposed on the outside of the support sleeve 26. Thus, Ferchau does not anticipate claim 1, as amended.

It would not have been obvious for a person skilled in the art to modify Ferchau by moving the fluid line from the inside of the support sleeve 26 to the outside. Ferchau prefers cables and fluid lines to be placed inside the support sleeve 26. Ferchau provides “for this purpose, the channel 26a of each support sleeve 26 is opened along the length of the channel by a slot 25, permitting insertion and removal of cabling in and from the

channel.” *See, col. 3, lines 28-31*. There is no suggestion or motivation in Ferchau to move the fluid line from the inside of support sleeve 26 to the outside.

Moreover, it would not have been reasonable for a person skilled in the art to want to move the fluid line from the inside of support sleeve 26 to the outside. Ferchau is about a packaging system for organizing computers and electronic devices in a compact space. *See, abstract*. The basic idea of Ferchau is to put the computers and electronic devices in the cabinets 14 of the packaging system 10, and run the cabling through the spaces inside the support sleeves 26 at the corners of the cabinets 14. *See, FIG. 1*. If the fluid line were placed outside the support sleeve 26, and the fluid were indeed coolant (Ferchau is silent about the nature of the fluid), such arrangement can cause the moisture surrounding the fluid line to form a pool of water in the cabinets 14, which in turn causes the computers and electronic devices in the cabinets 14 to short circuit or malfunction. Naturally, a person skilled in the art would prefer to separate the compartment for a cooling pipe from the compartment for sensitive electronic devices.

As such, the invention as described by claim 1 is not obvious over Ferchau. Accordingly, claims 2-3, and 6-15 that depend from claim 1 and include the limitations recited therein are patentable over Ferchau. It is noted that claims 3, 4, and 13 have been cancelled.

Rejections under 35 U.S.C. §103

Claims 5 and 16 are rejected under 35 USC 103(a) as being unpatentable over Ferchau in view of US Patent No. 6,238,029 to Marzec et al.

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As discussed above, independent claim 1 as amended is patentable over Ferchau.

Accordingly, claims 5 and 16 that depend from claim 1 and include the limitations recited therein are also patentable over the cited prior art references under 35 USC 103(a).

CONCLUSION

Applicant has made an earnest attempt to place this application in an allowable form. In view of the foregoing remarks, it is respectfully submitted that the pending claims are drawn to a novel subject matter, patentably distinguishable over the prior art of record. Examiner is therefore, respectfully requested to reconsider and withdraw the outstanding rejections.

Should Examiner deem that any further clarification is desirable, Examiner is invited to telephone the undersigned at the below listed telephone number.

Applicant does not believe that any additional fee is due, but as a precaution, the Commissioner is hereby authorized to charge any additional fee to deposit account number 50-4244.

Respectfully submitted,

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